

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

DAMMEION CLARK	§	
	§	
	§	
v.	§	Civil Action No. 1:23-cv-237
	§	
INTERNATIONAL PAPER COMPANY	§	

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared Lindsey J. Scott, who after being duly sworn, did dispose and state that he is a resident of East Baton Rouge Parish, and of the full age of majority. Affiant further deposes and states that:

1.

I am the attorney of record for the Plaintiff, Dammeion Clark, and am licensed to practice law in the state of Louisiana. I have appeared in via Pro Hac Vice.

2.

I also represent the plaintiff with regard to a workers compensation claim arising out her January 26, 2021 accident, which is the subject of the present law suit.

3.

Jurisdiction was proper within Orange County, based upon the fact that the subject accident occurred in the subject county.

4.

I requested the assistance of Benard Hubbard, an attorney who is licensed to practice in the state of Texas, with the goal of preserving the plaintiff's claims against International Paper.

5.

I would then enroll (via pro hac vice), and then navigate the direction of the subject suit.

6.

Between January 23, 2023 and May 22, 2023, my docket was unusually filled, which impacted my case rotation system.

7.

Below is a non-exhaustive list of items which impacted counsel's rotation system.

- a. January 27, 2023 - Opposition to Motion for Summary Judgment *Schmook vs. Kansas City Railroad* (Middle District of Louisiana)
- b. February 2, 2023 - Opposition for Motion for Summary Judgment (*Terrance vs. Family Dollar*, 19th Judicial District of Louisiana).
- c. February 21, 2023 - *Gautreau vs. GELCO* (Middle District of Louisiana) – Jury Trial was set for February 21, 2023. The usual pretrial motions were litigated through the end of February. The matter was ultimately continued, however, pretrial matters proceeded until the end of February. The matter was settled in March, 2023.
- d. February 21, 2023 – *Schmook v. Kansas City Railway*. Motion for Summary was further litigated by means of plaintiff's Motion for Leave to File Sur-reply, which was subsequently granted. The matter had multiple filings from (February 21, 2023 through April 3, 2023).
- e. April 25, 2023 - *Magee vs. Villeneuve*. Set for 3 day Jury trial (23rd Judicial District Court of Louisiana). Extensive pretrial preparation was conducted on this matter until it settled March 15, 2023.
- f. May 22, 2023 – *Miller vs. Sleep Inn*. Set for 4 ½ day jury trial set on May 22, 2023. Pretrial motions were litigated from March 17, 2023, through the trial date of May 22, 2023, wherein the court continued the matter to September 21, 2023. The motions litigated in *Miller* or detailed below.

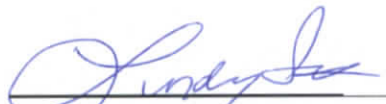
- 1 3/17/2023 Defendant's Motion for Summary Judgment
- 2 3/21/2023 Defendant's Motion in Limine Subsequent Remedial Measures
- 3 4/18/2023 Motion to Strike (Defendant's Expert/MSJ/Limine as untimely)
- 4 4/20/2023 Motion to Strike (Plaintiff Expert/Alternative Motion for Continue)
- 5 4/24/2023 Opposition to Def. Motion to Strike Philip Beard and Report
- 6 4/25/2023 Opposition to Plaintiff Motion to Strike
- 7 4/26/2023 Reply Memo in Support of Def. Motion Plaintiff Expert Alt Cont. Trial


8	4/28/2023	Plaintiff Opposition to Defendant Plaintiff in Lim Sub Rem. Meas.
9	5/1/2023	ORDERED - Granted Plaintiff Motion in to Strike Expert Report; Denied MTN in Limine.
10	5/18/2023	Def. Motion to Continue (Phillip Beard) Def. Motion to Strike Newly Produced Recs and Testimony of Defendant's Motion to Continue filed on
11	5/22/2023	the day trial
12	5/22/2023	Status Conference - Motion Continue Trial Granted

8.

During the course of the above facts, plaintiff counsel conducted a strategy meeting with Attorney Hubbard, wherein a plan of attack was agreed upon, at which time, citation was requested and perfected.

SWORN TO AND SUBSCRIBED before me this 21st day of September, 2023, in
Baton Rouge, Louisiana.


Affiant, Lindsey Scott


George R. Tucker
BAR ROLL # 24235
Commission Expires At Death